

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED

2015 OCT 29 P 2:29

SUSAN Y. SOONG  
CLERK, US DISTRICT COURT  
NO. DIST. OF CA.

UNITED STATES OF AMERICA,

v.

WHO

CR 15 507

DARON McCLINTON and  
TIFFANY SMITH

DEFENDANT(S).

## INDICTMENT

COUNT ONE: 18 U.S.C. § 2111 - Robbery in Special Maritime and  
Territorial Jurisdiction;

COUNT TWO: 18 U.S.C. § 371 - Conspiracy to Commit Robbery;

COUNT THREE: 18 U.S.C. § 113(a)(3) - Assault with a Dangerous  
Weapon in Special Maritime and Territorial Jurisdiction.

A true bill.

*William J. Lawrence*  
Foreman

Filed in open court this 29<sup>th</sup> day of

OCTOBER 2015

*Stephen Ybarra*  
Clerk

*Jf*  
Bail, \$ No bail

*Arrest warrants for  
each defendant for*

*1 mjr*

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEEDING
**OFFENSE CHARGED**

Title 18, United States Code, Section 2111

Title 18, United States Code, Section 371

Title 18, United States Code, Section 1134(a)(2)

☐ Petty☐ Minor☐ Misdemeanor☒ Felony

PENALTY: Maximums: Count 1: 15 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 special assessment. Count 2: 5 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 special assessment. Count 3: 10 years imprisonment, \$250,000 fine; 3 years supervised release; \$100 special assessment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**DEFENDANT - U.S.**

Tiffany Smith

DISTRICT COURT NUMBER

CR 15 507

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

U.S. Park Police

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. ATTORNEY☐ DEFENSESHOW  
DOCKET NO.
☐ this prosecution relates to a pending case involving this same defendant
MAGISTRATE  
CASE NO.
☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

William J. Edelman

**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF  
ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT

Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Date/Time:

Before Judge:

Comments:

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment



AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**
 Title 18, United States Code, Section 2111  
 Title 18, United States Code, Section 371  
 Title 18, United States Code, Section 113(a)(3)

☐ Misdemeanor  
☒ Felony

**PENALTY:** Maximums: Count 1: 15 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 special assessment. Count 2: 5 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 special assessment. Count 3: 10 years imprisonment, \$250,000 fine; 3 years supervised release; \$100 special assessment.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

Daron McClinton

DISTRICT COURT NUMBER

CR 15 507

**PROCEEDING**

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U.S. Park Police

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

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Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) William J. Edelman

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
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Defendant Address:

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Date/Time: Before Judge:

Comments:

BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

FILED  
2015 OCT 29 P 2:29  
SUSAN Y. SCONE  
CLERK, US DISTRICT COURT  
NO. DIST. OF CA.

SEALED BY ORDER  
OF COURT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WHO

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARON MCCLINTON, and  
TIFFANY SMITH,

Defendants.

CR No. 15 507

) VIOLATION: Title 18, United States Code, Section  
) 2111 – Robbery in Special Maritime and Territorial  
) Jurisdiction; Title 18, United States Code, Section  
) 371 – Conspiracy to Commit Robbery; Title 18,  
) United States Code, Section 113(a)(3) – Assault with  
) a Dangerous Weapon in Special Maritime and  
) Territorial Jurisdiction; Title 18, United States Code,  
) Section 981(a)(1) and Title 28, United States Code,  
) Section 2461(c) – Forfeiture Allegation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 2111 – Robbery in Special Maritime and Territorial Jurisdiction)

1. On or about October 3, 2015, in the Northern District of California, in the Presidio of San Francisco, an area within the special maritime and territorial jurisdiction of the United States, on land acquired for the use of the United States and under its exclusive jurisdiction, the defendants,

DARON MCCLINTON and TIFFANY SMITH,  
did knowingly and unlawfully by force and violence and by intimidation, take from the person and presence of T.Q. a camera, camera equipment, and money, all in violation of Title 18, United States Code, Section 7(3) and 2111.

INDICTMENT

1 COUNT TWO: (18 U.S.C. § 371 – Conspiracy to Commit Robbery)

2 2. On or about October 3, 2015, in the Northern District of California, the defendants,  
 3 DARON MCCLINTON and TIFFANY SMITH,  
 4 unlawfully and knowingly conspired and agreed together and with each other to commit an offense  
 5 against the United States, to wit, robbery in the special maritime and territorial jurisdiction of the United  
 6 States, in violation of Title 18, United States Code, Section 371.

7 Overt Acts

8 3. In furtherance of the conspiracy and to effect the illegal object thereof, the following  
 9 overt acts, among others, were committed in the Northern District of California:

- 10 a) On or about October 3, 2015, DARON MCCLINTON and TIFFANY SMITH followed the  
 11 victim T.Q. from a photo shoot near the Palace of Fine Arts in San Francisco, California, to the  
 12 Presidio of San Francisco, California.
- 13 b) On or about October 3, 2015, DARON MCCLINTON drove a vehicle containing TIFFANY  
 14 SMITH to where T.Q. was unloading camera equipment from his parked car.
- 15 c) On or about October 3, 2015, TIFFANY SMITH exited the vehicle, pointed a pistol at T.Q., and  
 16 demanded his property.
- 17 d) On or about October 3, 2015, when T.Q. did not comply with TIFFANY SMITH's demand,  
 18 DARON MCCLINTON exited the car with his own pistol and approached T.Q.
- 19 e) On or about October 3, 2015, DARON MCCLINTON and TIFFANY SMITH each pistol  
 20 whipped T.Q. repeatedly about his head and neck until T.Q. relinquished his property.
- 21 f) On or about October 3, 2015, DARON MCCLINTON and TIFFANY SMITH fled the scene in  
 22 their vehicle with property taken from T.Q.'s person.

23 All in violation of Title 18, United States Code, Section 371.

24 COUNT THREE: (18 U.S.C. § 113(a)(3) – Assault with a Dangerous Weapon in Special Maritime  
 25 and Territorial Jurisdiction)

26 4. On or about October 3, 2015, in the Northern District of California, in the Presidio of San  
 27 Francisco, an area within the special maritime and territorial jurisdiction of the United States, on land  
 28 acquired for the use of the United States and under its exclusive jurisdiction, the defendants,

1 DARON MCCLINTON and TIFFANY SMITH,  
 2 did knowingly and unlawfully assault T.Q. with a dangerous weapon with intent to do bodily harm, all  
 3 in violation of Title 18, United States Code, Section 7(3) and 113(a)(3).

4 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

5 5. All of the factual allegations contained in this Indictment are re-alleged and incorporated  
 6 as if fully set forth here.

7 6. Upon conviction of Count One in the Indictment, the defendants,

8 DARON MCCLINTON and TIFFANY SMITH,  
 9 shall forfeit to the United States of America pursuant to Title 18, United States Code, Section  
 10 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which  
 11 constitutes or is derived from proceeds traceable to the offense.

12 7. If any of the property described above, as a result of any act or omission of the defendant:

- 13 a) cannot be located upon the exercise of due diligence;
- 14 b) has been transferred or sold to, or deposited with, a third party;
- 15 c) has been placed beyond the jurisdiction of the court;
- 16 d) has been substantially diminished in value; or
- 17 e) has been commingled with other property which cannot be divided without difficulty;

18 the United States of America shall be entitled to substitute property pursuant to Title 21, United States  
 19 Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

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INDICTMENT



1 All in violation of Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code,  
2 Section 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.


3  
4 DATED: 10/29/15

A TRUE BILL.

  
FOREPERSON

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7 BRIAN J. STRETCH  
Acting United States Attorney

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9   
10 DANIEL KALEBA  
Deputy Chief, General Crimes

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12 (Approved as to form: )  
13 WILLIAM J. EDELMAN  
14 Special Assistant United States Attorney

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INDICTMENT